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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

COMMITTEE ON JOBS CANDIDATE
ADVOCACY FUND AND BUILDING
OWNERS and MANAGERS
ASSOCIATION OF SAN FRANCISCO
INDEPENDENT EXPENDITURE
POLITICAL ACTION COMMITTEE,
political action committees organized under
the laws of California and of the City and
County of San Francisco,

Plaintiffs,

vs.

DENNIS J. HERRERA, in his official
capacity as City Attorney of the City and
County of San Francisco, KAMALA K.
HARRIS, in her official capacity as District
Attorney of the City and County of San
Francisco, the SAN FRANCISCO ETHICS
COMMISSION of the City and County of
San Francisco, and CITY AND COUNTY
OF SAN FRANCISCO,

Defendants.

Case No. C-07-3199 JSW

MOTION TO SHORTEN TIME

Included herein:

1. Motion to Shorten Time
2. Proposed Order
3. Certificate of Service

Filed concurrently:

1. Declaration of David Waggoner

Pursuant to Civil L.R. 7-1(a)(2), 6-1 and 6-3, the California Clean Money Campaign, California Common Cause, Campaign Legal Center, Center for Governmental Studies and Demos: A Network for Ideas and Action (“*amici*”) respectfully move this Court to shorten time required by Civil L.R. 7-2(a) for hearing *amici*’s Motion to Participate, filed with this Court August 27, 2007, and to hear *amici*’s Motion to Participate at or before 1:30 p.m. on Monday September 17, 2007—at which time this Court is scheduled to hear plaintiffs’ Motion for Preliminary Injunction.

As grounds for this motion, *amici* would show unto the Court that:

1. Civil L.R. 7-2(a) provides that, “[e]xcept as otherwise ordered or permitted by the assigned Judge or these Local Rules, . . . all motions must be filed, served and noticed in writing on the motion calendar of the assigned Judge for hearing not less than 35 days after service of the motion.”
2. Pursuant to this rule, *amici* have noticed hearing of their Motion to Participate for November 2, 2007—the earliest available calendar date in compliance with Civil L.R. 7-2(a).
3. However, *amici*’s Motion to Participate and Brief *Amici Curiae* in support of defendants are directly relevant to this Court’s scheduled hearing of plaintiffs’ Motion for Preliminary Injunction on September 17, 2007.
4. Counsel for plaintiffs (Bruce A. Ericson) and counsel for defendants (Jon Givner) have both consented to *amici*’s participation at this stage of the litigation. *See Amici Motion to Participate* at ¶ 9.
5. *Amici* believe their brief will assist the Court’s understanding of the law governing the substantive matter at issue in plaintiffs’ pending Motion for

Preliminary Injunction (*i.e.*, the constitutionality of contribution limits as applied to political committees making independent expenditures).

6. *Amici's* requested shortening of time will in no way delay or effect the schedule for the case. *Amici's* Motion to Participate and Brief *Amici Curiae* were filed with this Court and served on the parties on August 27, 2007, the date that defendants' response to plaintiffs' motion for a preliminary injunction was due. Furthermore, a copy of these papers for Chambers were mailed via overnight carrier on August 27, 2007, for delivery August 28, 2007. *Amici* have requested no previous modifications of time in the instant case.

WHEREFORE, premises considered, the California Clean Money Campaign, California Common Cause, Campaign Legal Center, Center for Governmental Studies and Demos: A Network for Ideas and Action respectfully pray that this Court will grant this motion to shorten time and hear *amici's* Motion to Participate at 1:30 p.m. on Monday September 17, 2007.

Respectfully submitted,

By /s/ David Waggoner
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Counsel for Amici Curiae

Dated: August 28, 2007

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

COMMITTEE ON JOBS CANDIDATE
ADVOCACY FUND AND BUILDING
OWNERS and MANAGERS
ASSOCIATION OF SAN FRANCISCO
INDEPENDENT EXPENDITURE
POLITICAL ACTION COMMITTEE,
political action committees organized under
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Plaintiffs,

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capacity as City Attorney of the City and
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Defendants.

Case No. C-07-3199 JSW

ORDER

Pending before the Court is a motion by the CALIFORNIA CLEAN MONEY CAMPAIGN, CALIFORNIA COMMON CAUSE, CAMPAIGN LEGAL CENTER, CENTER FOR GOVERNMENTAL STUDIES and DEMOS: A NETWORK FOR IDEAS AND ACTION to shorten time for hearing their Motion to Participate as *amici curiae*, and to hear such motion at 1:30 p.m. on Monday September 17, 2007— at which time this Court is scheduled to hear plaintiffs' Motion for Preliminary Injunction. For good cause shown, the Motion to Shorten Time to hear the Motion to Participate at 1:30 p.m. on Monday September 17, 2007 is hereby GRANTED.

This ____ day of August, 2007.

United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that the foregoing motion with proposed order and supporting declaration have been filed with the Court and served on the parties listed below via the Court's Electronic Case Filing system, pursuant to Local Rules 5-4 (Electronic Case Filings) and 5-5(b) (Manner of Service—Cases Subject to Electronic Case Filing), on this 28th day of August, 2007.

Attorneys Representing Plaintiffs:

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Attorneys Representing Defendants:

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I further certify that a copy of the foregoing motion with proposed order and supporting declaration for the Chambers of Judge Jeffrey S. White have been filed with the Office of the Clerk of this Court at the address below via overnight carrier, pursuant to Local Rule 5-1(b) (Extra Copy for Chambers), on this 28th day of August, 2007, for delivery on the 29th of August, 2007.

Office of the Clerk

U.S. District Court for the Northern District of California
San Francisco Courthouse
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San Francisco, California 94102

/s/ David Waggoner

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